

Scheduling Order

15-cv-06934-SRC-CLW

IMPAX LABORATORIES, INC. v. ACTAVIS LABORATORIES FL, INC. et al

The Court will hold a telephone conference, to be initiated by plaintiff, on 4/20/16 at 1:30 PM. Parties may contact chambers at (973) 776 7862. The Court will hold an In-Person Status conference on 6/30/16 at 1:00 PM before U.S.M.J. C. Waldor in courtroom 4C.

So Ordered:

A handwritten signature in black ink, appearing to read "C. L. Waldor", written over a horizontal line.

USMJ C. L. Waldor

1/11/16

Due Date Under Local Rules	Agreed-upon Dates Proposed by the Parties¹	Event
1/4/2016	2/11/2016	Due Date for Exchange of Initial Disclosures (or 14 days after Rule 26(f) conference if different than 12/21)
1/8/2016	1/8/2016	Due Date to Submit Joint Discovery Plan to Court in Advance of Upcoming Scheduling Conference
1/11/2016	1/11/2016	Initial Rule 16 Scheduling Conference before Magistrate Judge Waldor, Courtroom 4C, 3:30PM
1/18/2016	1/18/2016	Plaintiffs to provide Defendants with its Disclosure of Asserted Claims (L.Pat.R. 3.6(b))
1/25/2016	3/7/2016	Defendants to provide Plaintiffs with the written basis for their Invalidity Contentions along with any disclosures under L.Pat.R. 3.4 (L.Pat.R. 3.6(c)-(d))
1/25/2016	3/7/2016	Defendants to provide Plaintiffs with Non-Infringement Contentions and related document production (L.Pat.R. 3.6(e) & (f))
2/10/2016	2/10/2016	Parties' Submission of Consent Discovery Confidentiality Order (L.Pat.R. 2.2)
3/11/2016	5/31/2016	Plaintiffs' Responses to Defendants' Invalidity Contentions (L.Pat.R. 3.6(i))

¹ The proposed date for opening expert reports, and the subsequent dates for the remaining deadlines through trial, assume that the Court is able to issue its Markman opinion on or before February 10, 2017. To the extent the Court is unable to issue its Markman opinion on or before this date the parties believe that the expert report and subsequent dates will need to be adjusted to allow sufficient time to complete expert reports after receipt of the Markman opinion.

Due Date Under Local Rules	Agreed-upon Dates Proposed by the Parties ¹	Event
3/11/2016	5/31/2016	Plaintiffs' Service of Infringement Contentions and Related Document Production (L.Pat.R. 3.6(g) & (h))
3/25/2016	6/14/2016	Parties' Exchange of Proposed Terms for Construction (L.Pat.R. 4.1(a))
4/15/2016	6/28/2016	Parties' Exchange of Preliminary Claim Constructions and Identify Intrinsic and Extrinsic Evidence (L.Pat.R. 4.2(a) & (b))
4/29/2016	7/12/2016	Parties' Exchange Intrinsic and Extrinsic Evidence to Oppose Opponent's Proposed Construction (L.Pat.R. 4.2(c))
5/30/2016	7/26/2016	Parties' Submission of Joint Claim Construction and Prehearing Statement (L.Pat.R. 4.3)
6/29/2016	8/19/2016	Parties Complete Fact Discovery Relating to Claim Construction (L.Pat.R. 4.4)
7/14/2016	9/6/2016	Parties' Opening Markman Submissions (L.Pat.R. 4.5(a))
8/13/2016	10/7/2016	Parties' Completion of Expert Discovery Related to Opening Markman Submissions (L.Pat.R. 4.5(b))
	1/20/2017	Plaintiffs' and Defendants' Substantially Complete Document Production
10/12/2016	11/10/2016	Parties' Responding Markman Submissions (L.Pat.R. 4.5(c))
10/26/2016	11/17/2016	Due Date to Propose Schedule for Markman Hearing
TBD	November/December 2016	Markman Hearing
TBD	6/2/2016	Deadline for Parties to Move to Add Parties or Amend the Pleadings

Due Date Under Local Rules	Agreed-upon Dates Proposed by the Parties ¹	Event
TBD	2/14/2017	Close of Fact Discovery
TBD	3/17/2017	Parties Serve Opening Expert Reports on Claims and Defenses for which the Party Bears the Burden of Proof (45 days after <i>Markman Order</i>)
TBD	5/1/2017	Rebuttal Expert Reports Due (45 days after Opening Expert Reports)
TBD	5/22/2017	Reply Expert Reports Due (limited to secondary considerations) (21 days after Rebuttal Expert Repots)
TBD	6/30/2017	Close of Expert Discovery
TBD	7/14/2017	Deadline to File Dispositive Motions
TBD	September 2017	Final Pretrial Conference
TBD	September 2017	Trial
	February 5, 2018	End of Stay